

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**MCMANIMON, SCOTLAND & BAUMANN, LLC**

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*Counsel to Daryl Fred Heller, Chapter 11 Debtor  
and Debtor-in-Possession*

In re:

DARYL FRED HELLER,

Debtor.

Case No. 25-11354 (JNP)

Chapter 11

**APPLICATION FOR AN ORDER AUTHORIZING RELEASE OF FUNDS  
FROM McMANIMON, SCOTLAND & BAUMANN, LLC'S ATTORNEY  
TRUST ACCOUNT FOR PAYMENT OF ATTORNEY'S FEES AND COSTS  
REGARDING THE THIRD MONTHLY FEE STATEMENT PURSUANT TO  
THE ADMINISTRATIVE FEE ORDER**

Daryl Fred Heller (the “Debtor”), the Chapter 11 debtor and debtor-in-possession, by and through his undersigned counsel, submits this Application (“Application”) for an Order Authorizing the Release of Funds From McManimon, Scotland & Baumann, LLC’s (“MSB”) Attorney Trust Account (the “MSB Attorney Trust Account”) for Payment of Attorney’s Fees and Costs regarding the Third Monthly Fee Statement Pursuant to the Administrative Fee Order. In support of the Application, the Debtor respectfully represents as follows:

**BACKGROUND**

1. On February 10, 2025 (the “Petition Date”), the Debtor filed a voluntary petition for relief pursuant to Chapter 11 of Title 11 of the United States Code. ECF 1.
2. The Debtor continues to manage his affairs as debtor-in-possession pursuant to Bankruptcy Code Sections 1107(a) and 1108.
3. On April 3, 2025, the Court entered the Order authorizing the Debtor to sell real property located at 7605 Pleasure Avenue, Sea Isle City, New Jersey (the “Sale Order”). ECF 169.

MSB is holding \$1,563,231.69 in its trust account.

4. Pursuant to the Sale Order, the sale proceeds were to be held in the MSB Attorney Trust Account and not released absent an Order of the Court which specifically provides for the use and release of funds from the MSB Attorney Trust Account.

5. Also, on April 3, 2025, the Court entered the Administrative Fee Order establishing procedures for payment of interim compensation (the “Administrative Fee Order”). ECF 170.

6. On May 9, 2025, MSB filed its Third Monthly Fee Statement for the period from April 1, 2025 through April 30, 2025 in the amount of \$92,998.00 for fees and \$1,599.75 for expenses (“Third Monthly Fee Statement”). ECF 229

7. On May 28, 2025, MSB filed a certification of no objection pursuant to the Administrative Fee Order regarding the Third Monthly Fee Statement. ECF 286.

8. According to the Administrative Fee Order, after filing the certification of no objection, MSB is allowed to receive 80% of fees and 100% of expenses. Accordingly, on its Third Monthly Fee Statement, MSB is requesting 80% of its fees in the amount of \$74,398.40 and 100% of its expenses in the amount of \$1,599.75, totaling \$75,998.15. Such payment to be made from MSB’s trust account derived from the Sea Isle sales proceeds.

**RELIEF REQUESTED**

9. Pursuant to the Sale Order, MSB respectfully requests an order authorizing it to disburse \$75,998.15 to MSB from the MSB Attorney Trust Account.

**WHEREFORE**, MSB respectfully requests that the Order submitted herewith be entered.

**MCMANIMON, SCOTLAND & BAUMANN, LLC**  
*Counsel to Daryl Fred Heller, Chapter 11 Debtor  
and Debtor-in-Possession*

By: /s/ Sari B. Placona  
Sari B. Placona

Dated: June 2, 2025